

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte THOMAS M. BEHR and  
DAVID M. GOLDENBERG

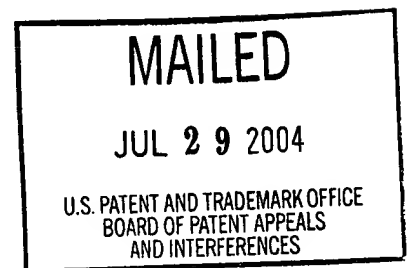
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Appeal No. 2004-0972  
Application 09/527,919

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**ORDER DISMISSING APPEAL**

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Before HARKCOM, Acting Chief Administrative Patent Judge, and  
WILLIAM F. SMITH and GRIMES, Administrative Patent Judges.

Per curiam.

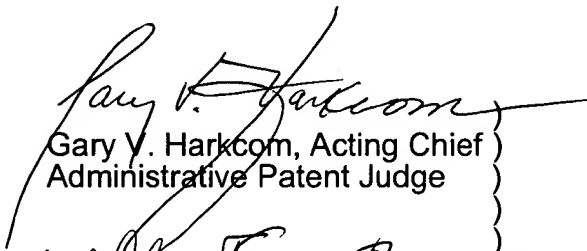


On January 14, 2003, appellants filed a Notice of Appeal. On July 19, 2004, appellants filed a communication withdrawing the appeal, waiving the hearing, and expressly abandoning this application in favor of a continuation application filed July 15, 2004.

Accordingly, it is

ORDERED that the appeal filed January 14, 2003, is dismissed.

Appeal No. 2004-0972  
Application 09/200,791

The application is being returned to the examiner for further action as may be appropriate.

 Gary V. Harkcom, Acting Chief Administrative Patent Judge	) BOARD OF PATENT ) APPEAL ) INTERFERENCES )
 William F. Smith Administrative Patent Judge	
 Eric Grimes Administrative Patent Judge	

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